

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DONALD DOVER,

Plaintiff,

v.

CASE NO. 02-60210

HON. MARIANNE O. BATTANI

METROPOLITAN LIFE INSURANCE  
COMPANY,

Defendant.

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**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION FOR  
ENTRY OF JUDGMENT, INTEREST AND ATTORNEY FEES**

Before the Court is Plaintiff 's Motion for Entry of Judgment, Interest and Attorney Fees (Doc. # 30). At a hearing held on July 20, 2005, the Court made the following findings pertinent to the motion: Plaintiff's long term disability payments are to be reduced by the amount of social security disability he would have received for the period he was in prison; interest on the judgment is to be calculated from the date due at the rate of 3.433%; the request for attorney fees was timely filed; Plaintiff is entitled to attorney fees; and, the federal garnishment does not attach to the amount determined to be the total fee of Plaintiff's attorney.

In accordance with these findings, the Court GRANTS Plaintiff's request for attorney fees and interest. Plaintiff's request for entry of judgment is DENIED without prejudice, subject to an evidentiary hearing to determine a sum certain as to the total amount of attorney fees.

IT IS SO ORDERED.

s/Marianne O. Battani  
MARIANNE O. BATTANI  
UNITED STATES DISTRICT JUDGE

Dated: July 22, 2005

**CERTIFICATE OF SERVICE**

Copies of this Order were mailed to Daniel M. Bridges and David M. Davis on this date by ordinary mail and electronic filing.

s/Bernadette M. Thebolt  
Deputy Clerk